

Serial No. 10/021,665  
Amendment and Response dated November 24, 2004  
in Reply to Office Action dated August 25, 2004

**Remarks**

Claims 1-32 are pending in this application. The Office Action rejected claims 1-32 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Office Action also rejected claims 1-32 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,389,402 to Ginter et al. (Ginter).

Applicants respectfully traverse the rejections of the Office Action to the extent that they are maintained. Applicants have nonetheless incorporated into the bodies of independent claims 1, 15, 29 and 30 recitations of a website hosting data associated with pet care products, services and information. More specifically, each claim recites a method for creating and/or using a website to assist preferred providers in dispensing pet care products, services and information to pet owners. The website and associated technologies fall within the statutory definition of the technological arts. Applicants consequently ask that the Examiner remove the 35 U.S.C. § 101 rejection.

Pet owners historically seek out pet providers, such as veterinarians, to acquire needed information and other pet resources. Veterinarians, in turn, manage large amounts of products and information to provide pet owners with answers to their needs. Prior to the present invention, there was no comprehensive resource for assisting veterinarians and other pet professionals in providing for pet owners. As a result, obtaining information and products was often a fragmented and difficult process. These problems were exacerbated in emotionally charged and time sensitive scenarios where pets were sick or deceased.

Serial No. 10/021,665  
Amendment and Response dated November 24, 2004  
in Reply to Office Action dated August 25, 2004

While providing for pet owners remains a challenging task requiring special skills and knowledge on the part of the veterinarian or other provider, the invention recited in claim 1 has improved the process by enabling the provider access to a centralized website hosting supplier data useful in disseminating pet information, products and service to pet owners. More particularly, the claimed website provides a centralized resource that enables providers to efficiently obtain and dispense pet supplier resources to pet owners. In one sense, the website constitutes an improved link between suppliers and a veterinarian, while maintaining the appreciated relationship between provider and pet owner.

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ginter, which the Examiner admits does not disclose pet care related processes. Ginter more specifically fails to suggest accessing a centralized website hosting supplier data useful in disseminating pet information, products and services to pet owners. Ginter also fails to suggest a communication process where the preferred provider accesses pet resources via a website, then disseminates the resources to a pet owner, i.e., without the pet owner having to access the website. That is, Ginter does not disclose disseminating supplier products to a third party who does not directly access electronic information. This claimed feature ensures provider expertise and sensitivity is maintained for the pet owner, among other benefits.

The absence of any suggestion of these features in Ginter is attributable to its disparate purpose. Ginter is directed to a system for securing electronic information (column 2, line 24 and column 2, lines 51-60). Ginter accomplishes a secure chain of information

Serial No. 10/021,665  
Amendment and Response dated November 24, 2004  
in Reply to Office Action dated August 25, 2004

handling by requiring an electronic contract and other secure exchange mechanisms (column 2, line 24 and column 2, lines 51-60). Ginter '402 is consequently concerned only with the dissemination of information to the extent that the dissemination is secure. In one respect, the data security mechanisms of Ginter could be used by an embodiment of the present invention to make the dissemination of pet information secure between the suppliers and the preferred providers. However, there is no suggestion or motivation present in Ginter '402 to enable a provider access to a centralized website hosting supplier data useful in disseminating pet resources to pet owners, nor is there a suggestion to actually disseminate pet products to the owners. Why would there be? Ginter is concerned with the secure exchange of electronic data, only. Consequently, Applicants request reconsideration and allowance of claim 1, as well as of claims 2-14 that depend therefrom.

Independent claim 29 likewise recites in part the concept of accessing a centralized website hosting supplier data useful in disseminating pet products, information and services to pet owners. As such, claim 29 is allowable for reasons similar to those discussed above in connection with the rejection of claim 1. Reconsideration and allowance of claim 29 are respectfully requested.

Claim 15 recites a method of equipping the preferred provider with pet care products, services and information to be dispensed to the pet owners. Claim 15 includes creating a website hosting pet data and configured to assist the preferred provider in dispensing pet care products, services and information to the pet owners. Claim 15 also

Serial No. 10/021,665

Amendment and Response dated November 24, 2004  
in Reply to Office Action dated August 25, 2004

includes using the website to provide preferred providers with the actual pet supplier products, services and information so that the preferred providers, in turn, can provide the pet care products, services and information to pet owners. No such supplier, provider and pet owner related process is suggested in Ginter. Applicants consequently reconsideration and allowance of claim 15, as well as of claims 16-28 that depend therefrom.

Independent claim 30 likewise recites in part creating a website hosting pet data and configured to assist the preferred provider in dispensing pet care products, services and information to the pet owners. As such, claim 30 is allowable for the reasons similar to those discussed above in connection with the rejection of claim 15. Reconsideration and allowance of claim 30 are therefore respectfully requested.

Applicants therefore submit that all pending claims are patentable over the prior art of record, and reconsideration and allowance of all pending claims are accordingly respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further the case onto allowance, the Examiner is encouraged to contact the undersigned at 513-241-2324. Moreover, if there are any charges or credits that are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Serial No. 10/021,665

Amendment and Response dated November 24, 2004  
in Reply to Office Action dated August 25, 2004

Respectfully submitted,

WOOD, HERRON & EVANS, LLP

By 

Douglas A. Scholer

Reg. No. 52,197

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202

Telephone: (513) 241-2324

Facsimile: (513) 241-6234

Page 13 of 13